

AN ACT

relating to contracts between dentists and health maintenance organizations or insurers.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Subchapter I, Chapter 843, Insurance Code, is amended by adding Section 843.3115 to read as follows:

Sec. 843.3115. CONTRACTS WITH DENTISTS. (a) In this section, "covered service" means a dental care service for which reimbursement is available under an enrollee's health care plan contract, or for which reimbursement is available subject to a contractual limitation, including:

- (1) a deductible;
- (2) a copayment;
- (3) coinsurance;
- (4) a waiting period;
- (5) an annual or lifetime maximum limit;
- (6) a frequency limitation; or
- (7) an alternative benefit payment.

(b) A contract between a health maintenance organization and a dentist may not limit the fee the dentist may charge for a service that is not a covered service.

SECTION 2. Subchapter E, Chapter 1451, Insurance Code, is amended by adding Section 1451.2065 to read as follows:

Sec. 1451.2065. CONTRACTS WITH DENTISTS. (a) In this

section, "covered service" means a dental care service for which reimbursement is available under a patient's employee benefit plan or health insurance policy, or for which reimbursement is available subject to a contractual limitation, including:

- (1) a deductible;
- (2) a copayment;
- (3) coinsurance;
- (4) a waiting period;
- (5) an annual or lifetime maximum limit;
- (6) a frequency limitation; or
- (7) an alternative benefit payment.

(b) A contract between an insurer and a dentist may not limit the fee the dentist may charge for a service that is not a covered service.

SECTION 3. Sections 843.3115 and 1451.2065, Insurance Code, as added by this Act, apply only to a contract entered into or renewed on or after the effective date of this Act. A contract entered into or renewed before the effective date of this Act is governed by the law in effect immediately before the effective date of this Act, and that law is continued in effect for that purpose.

SECTION 4. This Act takes effect September 1, 2011.

S.B. No. 554

David Newkumst

President of the Senate

Joe Straus

Speaker of the House

I hereby certify that S.B. No. 554 passed the Senate on April 14, 2011, by the following vote: Yeas 31, Nays 0.

Patryk Spaw

Secretary of the Senate

I hereby certify that S.B. No. 554 passed the House on May 23, 2011, by the following vote: Yeas 142, Nays 0, two present not voting.

Robert Haney

Chief Clerk of the House

Approved:

17 JUN '11

Date

Rick Perry

Governor

FILED IN THE OFFICE OF THE  
SECRETARY OF STATE  
O'CLOCK

JUN 17 2011

Boyd R. Roberts

Secretary of State